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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,964	10/17/2001	Chun-Chen Chiu	TAIE 120	4350

7590

04/18/2003

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EXAMINER

CUEVAS, PEDRO J

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 04/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,964

Applicant(s)

CHIU, CHUN-CHEN

Examiner

Pedro J. Cuevas

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Permanent Magnet Generator For Bicycle Light Operation.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,191,988 to Kumakura.

Kumakura clearly teaches the construction of an identification lamp apparatus that includes a frame (2), wheels (3, 4) rotatable mounted on the frame and an insulating bracket (35, 36) attached to the frame, the generator comprising:

a rotor (21) adapted to be rotatable mounted on the insulating bracket and abutting the wheel of the bicycle, the rotor including:

two casings each having a first side abutting each other to form a chamber in the rotor and a second side opposite to each other;

a hole centrally defined in the second side of each casing to securely mount a bearing (22, 23) in the rotor;

a recess centrally defined in the first side of each casing and having a diameter greater than that of the hole; and

an indent defined in an inner periphery of the hole;

an annular coil (54) securely mounted in the chamber in the rotor, the annular coil including:

multiple salient poles situated in an inner periphery of the annular coil and parallel to the axis of rotation; and

two inner wires respectively electrically connected to the salient poles and extending through the indent in the casing to electrically connect to an outer periphery of the bearing;

a stator (18) rotatable extending through the rotor and the coil, the stator including:

a shaft (16) made of insulating material, the shaft rotatably extending through the coil, the shaft having two opposite ends respectively secured in the bearing and partially extending out of the bearing and adapted to be secured in the insulating bracket of the bicycle for mounting the rotor on the bicycle;

an annular flange (25) radially extending outwardly from a middle portion of the shaft; and

a ring (17) of permanent magnets (40) mounted on an outer periphery of the annular flange and corresponding to the salient poles of the coil;
a electrical ring connector mounted around the end of the shaft and electrically connected to a middle portion of the bearing; and
a outer wire (54) with a first end electrically attached to the electrical ring connector and a second end adapted to be attached to a light that is mounted on the bicycle;

wherein the coil will rotate with the casings relative to the stator when the bicycle is in use and generate electricity that is transmitted to the light to operate the light.

5. It has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138.

6. With regards to claims 2-16, Kumakura disclose:

recess in the casing comprises a bottom having an annular flange inwardly and radially extending from the bottom of the recess to stop the bearing and form a passage, communicating with hole and the recess, and the indent is defined in the annular flange;

each casing comprising at least one stud perpendicularly extending from the first side; and at least one bore defined in the first side to securely receive a corresponding stud extending from the first side of the other casing;

the stator comprises a protrusion extending from two opposite sides of the annular flange of the stator and around to abut a middle portion of the bearing;

the permanent magnets have magnetic poles that alternate around the permanent magnet;

the coil comprises two metal covers abutting each other and soldered to enclose a coil seat and a winding wound around the coil seat, and the salient poles perpendicularly extend from an inner periphery of each cover;

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pedro J. Cuevas whose telephone number is (703) 308-4904. The examiner can normally be reached on M-F from 8:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor R. Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-1341 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Pedro J. Cuevas
April 16, 2003


NESTOR RAMIREZ
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